

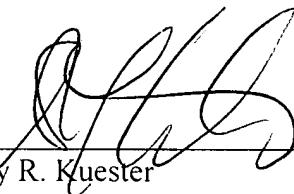


CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

**MAIL STOP: Non-Fee Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

on 1/28/04.



Jeffrey R. Kuester

In re application of: Fleming et al.

Group No.: 2642

Serial Number: 10/637,178

Examiner: Unassigned

Filing Date: August 8, 2003

Title: **Networks, Systems and Methods for Routing Data Traffic Within a Telephone Network Based on Available Resources**

Attached are the following documents for filing with the USPTO:

- Postcard
- Amendment Transmittal Form (1 Page)
- Preliminary Amendment
- Information Disclosure Statement
- PTO-1449 (1 Page)
- Cited Reference (A)

In re PATENT application of: Fleming et al.

Examiner: Unassigned

Serial No: 10/637,178

Group No.: 2642

Filed: August 8, 2003

Docket No.: 190251-1771

Networks, Systems and Methods for Routing Data Traffic Within a Telephone Network Based on Available Resources

AMENDMENT TRANSMITTAL LETTER



MAIL STOP: Non-Fee Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

Response/Amendment
Fee as Calculated Below
 No additional fee is required.
 Small Entity status has been established.

Terminal Disclaimer
Corrected Drawings
 Other: Preliminary Amendment

CLAIMS AS AMENDED FOR LARGE ENTITY					
	Claims After Amendment	Highest Prev. Paid For	Extra	Rate	Additional Fee
Total Claims	20	- 20	0	x \$18.00	= \$0
Independent Claims	3	- 3	0	x \$84.00	= \$0
Total Additional Fee for this Amendment					= \$0

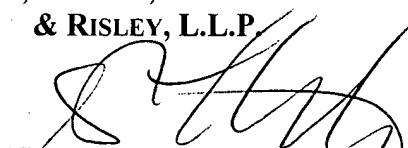
A check in the amount of \$ _____ is enclosed.
A Credit Card Payment Form PTO-2038 is attached in the amount of \$ _____.
The Commissioner is hereby authorized to charge to our Deposit Account No. _____ the amount of \$ _____ for the fee identified above. A duplicate of this Amendment Transmittal Letter is included herewith.
 The Commissioner is authorized to charge any insufficiencies, and the Commissioner is hereby requested to credit any overpayments to our Deposit Account No. 20-0778.

Customer No.: 38823

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

Date: _____

1/28/04



Jeffrey R. Kuester, Reg. No. 34,367
Attorney for Applicant(s)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Confirmation No.: 3924
Fleming *et al.* Group Art Unit: 2642
Serial No.: 10/637,178 Examiner: To Be Assigned
Filed: August 8, 2003 Docket No. 190251-1771
For: **NETWORKS, SYSTEMS AND METHODS FOR ROUTING DATA TRAFFIC WITHIN A TELEPHONE NETWORK BASED ON AVAILABLE RESOURCES**

PRELIMINARY AMENDMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant(s) respectfully request entry of the following amendment and remarks contained herein and that the following amendments and remarks contained herein place the instant application in condition for allowance.

AUTHORIZATION TO DEBIT ACCOUNT

It is believed that no extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 20-0778.